

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Timothy C. Thompson, *et al.*

Serial No.: 10/559,994

Patent No. 7,601,806

Filed: April 28, 2006

For: RTVP-GLIPR-LIKE COMPOSITIONS AND
METHODS FOR THE DETECTION,
TREATMENT AND PREVENTION OF
PROSTATE CANCER

Group Art Unit: 1637

Examiner: Young J. Kim

Atty. Dkt. No.: PRO025/4-012US

Confirmation No. 4570

PETITION FOR RESTORATION OF PATENT TERM ADJUSTMENT

VIA EFS-WEB

MAIL STOP AMENDMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants are filing the present petition under 37 C.F.R. § 1.705(d) to restore 79 days of patent term adjustment that was removed in error from the patent that issued on the above-referenced patent application. The Determination of Patent Term Adjustment that was mailed in conjunction with the Notice of Allowance on June 10, 2009 indicated that the patent term adjustment to date was 295 days. However, the Determination of Patent Term Adjustment that was mailed in conjunction with the Issue Notification on September 23, 2009 indicated that the patent term adjustment was 216 days. Applicants' representative David Hibler contacted Kerry Fries of the Office of Patent Legal Administration to investigate why the patent term adjustment had been reduced by 79 days. Mr. Fries indicated that the patent term adjustment had been

reduced by 79 days because Applicants had submitted replacement drawings after the payment of the Issue Fee.

Applicants' representative pointed out to Mr. Fries that no replacement drawings were filed by Applicants after the payment of the Issue Fee. Rather, it appears that the term "FIGURE 1 CONTINUED" was added to the top of page 2 and 3 of Figure 1 by someone at the Patent and Trademark Office ("the Office"), and a notation was included in the file history that "new" drawings had been submitted. Mr. Fries indicated that this action by the Office should not result in a reduction in patent term adjustment. Therefore, Applicants respectfully request the restoration of the full term of the patent term adjustment to 295 days.

In compliance with 37 C.F.R. § 1.705(b)(1), the fee under 37 C.F.R. § 1.18(e) is included herewith. In compliance with 37 C.F.R. § 1.705(b)(2)(i), the correct patent term adjustment of 295 days is noted above. In compliance with 37 C.F.R. § 1.705(b)(2)(ii), the basis for the restoration of 79 days is detailed above. In compliance with 37 C.F.R. § 1.705(b)(2)(iii), Applicants state that the patent issued from the above-referenced patent application, U.S. Patent No. 7,601,806, is not the subject of a Terminal Disclaimer.

The petition is timely filed, and Applicants believe that no fees in addition to the fees under 37 C.F.R. § 1.18(e) are due in connection with the petition. However, should any fees be required in connection with the present communication, the Commissioner is authorized to deduct any such fees from the Vinson & Elkins L.L.P. Deposit Account No. 22-0365, Attn: PRO025/4-012US.

Respectfully submitted,



David W. Hibler
Reg. No. 41,071
Agent for Applicants

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Date: November 12, 2009

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